

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA
WESTERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

PERLA LETICIA VALVERDE-
CARRASCO, a/k/a Fatima
Ortiz,

Defendant.

No. 12-CR-4100-DEO

**ORDER ACCEPTING REPORT
AND RECOMMENDATION
CONCERNING GUILTY PLEA**

I. INTRODUCTION AND BACKGROUND

Before the Court is Magistrate Judge Leonard T. Strand's Report and Recommendation Concerning Guilty Plea (Docket No. 29, 02/20/2013).

On October 24, 2012, a three count Indictment (Docket No. 2) was returned in the above-referenced case. On February 20, 2013, Defendant Perla Leticia Valverde-Carrasco entered a guilty to plea to Count 3¹ before United States Magistrate Judge Leonard T. Strand.

Count 3 of the Indictment charges that on about July 7, 2011, in the Northern District of Iowa, defendant Perla Leticia Valverde-Carrasco, for the purposes of obtaining

¹ The Report and Recommendation states that Counts One and Two will be dismissed at sentencing (Docket No. 29, p. 2)

employment, with the intent to deceive, did falsely represent a social security account number with the last four digits "4059" to be the account number assigned to her by the Commissioner of Social Security, when in fact that number had not been assigned to her by the Commissioner of Social Security. Defendant represented the social security account number with the last four digits "4059" to be her number in the course of applying for a job in Hospers, Sioux County, Iowa.

This was in violation of Title 42, United States Code, Section 408(a)(7)(B).

The Report and Recommendation (Docket No. 29), states that there is no plea agreement and recommends that defendant Perla Leticia Valverde-Carrasco's guilty plea be accepted. Waivers of objections to Judge Strand's Report and Recommendation were filed by each party (Docket Nos. 30 and 31). The Court, therefore, undertakes the necessary review to accept defendant Perla Leticia Valverde-Carrasco's plea in this case.

II. ANALYSIS

A. Standard of Review

Pursuant to statute, this Court's standard of review for a magistrate judge's Report and Recommendation is as follows:

A judge of the court shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made. A judge of the court may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate [judge].

28 U.S.C. § 636(b)(1). Similarly, Federal Rule of Civil Procedure 72(b) provides for review of a magistrate judge's Report and Recommendation on dispositive motions and prisoner petitions, where objections are made as follows:

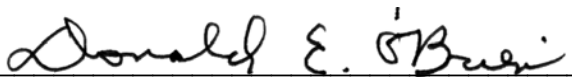
The district judge to whom the case is assigned shall make a de novo determination upon the record, or after additional evidence, of any portion of the magistrate judge's disposition to which specific written objection has been made in accordance with this rule. The district judge may accept, reject, or modify the recommendation decision, receive further evidence, or recommit the matter to the magistrate judge with instructions.

FED. R. CIV. P. 72(b).

As mentioned, waivers of objections to the Report and Recommendation have been filed, and it appears to the Court upon review of Magistrate Judge Strand's findings and conclusions that there are no grounds to reject or modify them.

IT IS THEREFORE HEREBY ORDERED that this Court accepts Magistrate Judge Strand's Report and Recommendation (Docket No. 29), and accepts defendant Perla Leticia Valverde-Carrasco's plea of guilty in this case to Count 3 Indictment (Docket No. 2).

IT IS SO ORDERED this 4th day of March, 2013.


Donald E. O'Brien, Senior Judge
United States District Court
Northern District of Iowa